

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

UNITED STATES OF AMERICA

v.

No.

AARON MICHAUD

INFORMATION

The United States Attorney for the District of Maine charges that:

**COUNT ONE
(Conspiracy to Commit Firearms Offenses)**

INTRODUCTION

1. At all times material to this complaint, the businesses listed below each possessed a federal firearms license (“FFL”) and were authorized to deal in firearms under federal law:

- (a) Ballstown Firearms, in Whitefield, Maine;
- (b) G3 Firearms, in Turner, Maine; and
- (c) J.T. Reid’s Gun Shop, in Auburn, Maine.

2. The rules and regulations governing FFL holders required that a person seeking to purchase a handgun fill out a Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), Form 4473, Firearms Transaction Record. Part of the ATF Form 4473 requires that the prospective purchaser certify truthfully, subject to penalties of perjury, that he or she is the actual buyer of the firearm. One of the questions that the prospective purchaser of a firearm must answer when filling out the ATF Form 4473 is, “Are you the actual transferee / buyer of the firearm(s) listed on this form and any

continuation sheet(s)(ATF Form 5300.9A)?” Immediately after this question, and before the space provided for the answer, ATF Form 4473 provides the following: “Warning: You are not the actual transferee/buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual transferee/buyer, the licensee cannot transfer the firearm(s) to you.” The ATF Form 4473 contains language warning that “making any false oral or written statement, or the exhibiting of any false or misrepresented identification with respect to this transaction, is a crime punishable as a felony under Federal law, and may also violate State and/or local law.” It also warns that “answering ‘yes’ to question 21(a) when I am not the actual buyer of the firearm is a crime punishable as a felony.”

3. A person who purchases a firearm for another person and falsely completes the Form 4473 is commonly referred to as a “straw purchaser.”
4. FFL holders are required to maintain a record, in the form of a completed Form 4473, of the identity of the actual buyer of firearms sold by them, including the buyer’s address and date of birth, to ensure that the person is not prohibited from possessing a firearm.
5. Persons who have been convicted in any court of a crime punishable by imprisonment for a term exceeding one year are prohibited by law from possessing firearms.
6. Persons who have been convicted in any court of a misdemeanor crime of domestic violence are prohibited by law from buying firearms.
7. Persons who unlawfully use and are users of or addicted to controlled substances are prohibited by law from possessing firearms.

8. In early 2022, the defendant AARON MICHAUD and his then-girlfriend Jennifer Scruggs began purchasing crack cocaine from Co-Conspirator 1 and Co-Conspirator 2 in Lewiston, Maine. At the time, Co-Conspirator 1 and Co-Conspirator 2 were both prohibited by law from possessing firearms or ammunition because each had previously been convicted of a crime punishable by imprisonment for a term exceeding one year and had in fact served more than a year in a California state prison in connection with those prior convictions. AARON MICHAUD was also prohibited by law from possessing firearms or ammunition in early 2022 because he had previously been convicted of a misdemeanor crime of domestic violence and because he was unlawfully using and addicted to controlled substances.

9. At all times material hereto, although they occasionally resided in, and traveled to and from, the state of Maine, Co-Conspirator 1 and Co-Conspirator 2 possessed California Drivers Licenses and were residents of California. At all times material hereto, Co-Conspirator 1 and Co-Conspirator 2 claimed to be members of the “Crips” street gang in southern California.

THE CONSPIRACY

10. Between approximately March 1, 2022, and at least July 30, 2022, in the District of Maine and elsewhere, the defendant AARON MICHAUD did knowingly, willfully, and unlawfully combine, conspire, and agree with Co-Conspirator 1, Co-Conspirator 2, Jennifer Scruggs, and others known and unknown to law enforcement, to commit offenses against the United States, that is:

- a. knowingly to make false and fictitious written statements to FFL holders, which statements were intended and likely to deceive the licensed dealers with respect to a fact material to the lawfulness of the sale of a firearm

under Chapter 44 of Title 18, United States Code, in violation of Title 18, United States Code, Sections 922(a)(6) and 924(a)(2); and

b. not being licensed importers, manufacturers, dealers, and collectors of firearms within the meaning of Chapter 44 of Title 18, willfully to transport into, and receive in, the State where Co-Conspirator 1 and Co-Conspirator 2 resided, namely, the State of California, firearms purchased and obtained outside the State of California, namely, from the State of Maine, in violation of Title 18, United States Code, Sections 922(a)(3) and 924(a)(1)(D).

MANNER AND MEANS

It was a part of the conspiracy that:

11. Beginning in or around March of 2022, Co-Conspirator 1 and Co-Conspirator 2 proposed that Jennifer Scruggs purchase firearms for them in return for a combination of cash and crack cocaine. Scruggs agreed to do so and thereafter traveled to gun shows and gun stores in the District of Maine to purchase firearms for them. Each time, Scruggs falsely certified on the ATF Form 4473 that she was the actual purchaser of the firearms, when in fact she knew that she was purchasing the firearms for Co-Conspirator 1 and Co-Conspirator 2.

12. The defendant AARON MICHAUD accompanied and assisted Scruggs on each trip. Prior to each trip, Co-Conspirator 1 and Co-Conspirator 2 would select the firearms that they wanted Scruggs to buy for them, share their selections with Scruggs and MICHAUD, and then give Scruggs and MICHAUD cash to purchase the firearms.

After purchasing the firearms, Jennifer Scruggs and AARON MICHAUD would deliver the firearms to Co-Conspirator 1 and Co-Conspirator 2.

13. Between March 1, 2022, and June 17, 2022, Jennifer Scruggs, assisted by the defendant AARON MICHAUD, purchased approximately fifty-five firearms for Co-Conspirator 1 and Co-Conspirator 2 in return for crack cocaine and cash.

14. On two separate occasions in 2022, once in April and again in late June, at the request of Co-Conspirator 1 and Co-Conspirator 2, the defendant AARON MICHAUD and Jennifer Scruggs transported some of the firearms that Scruggs had previously purchased for them to California by car. On each trip, Scruggs and MICHAUD were accompanied by Co-Conspirator 1. Co-Conspirator 2 traveled separately by plane to California prior to each trip that Scruggs, Co-Conspirator 1 and Michaud made.

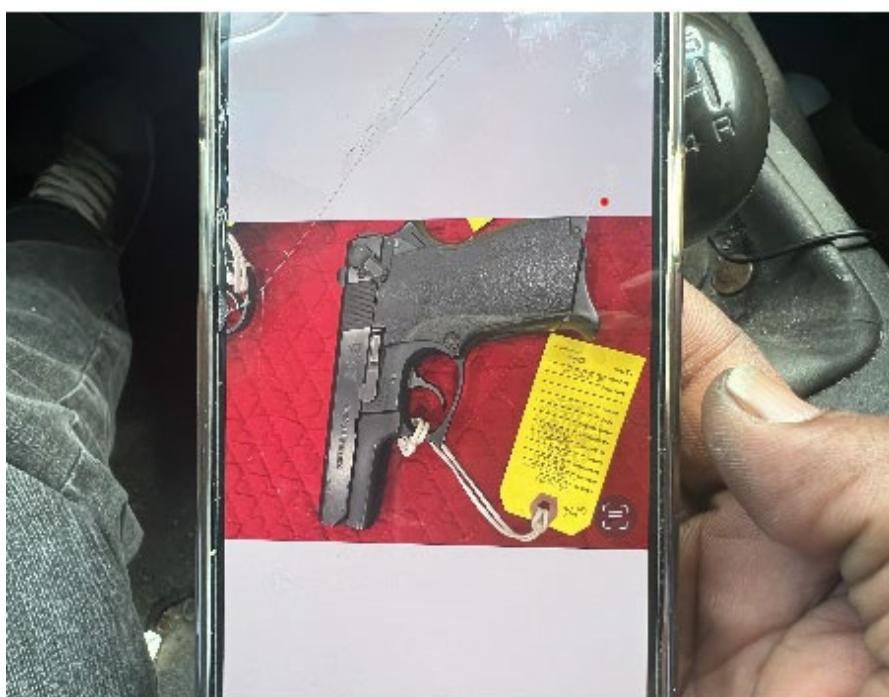
15. While in California, Jennifer Scruggs and AARON MICHAUD learned that the firearms were being transported to California by Co-Conspirator 1 and Co-Conspirator 2 for the purpose of distributing some of them to other gang members.

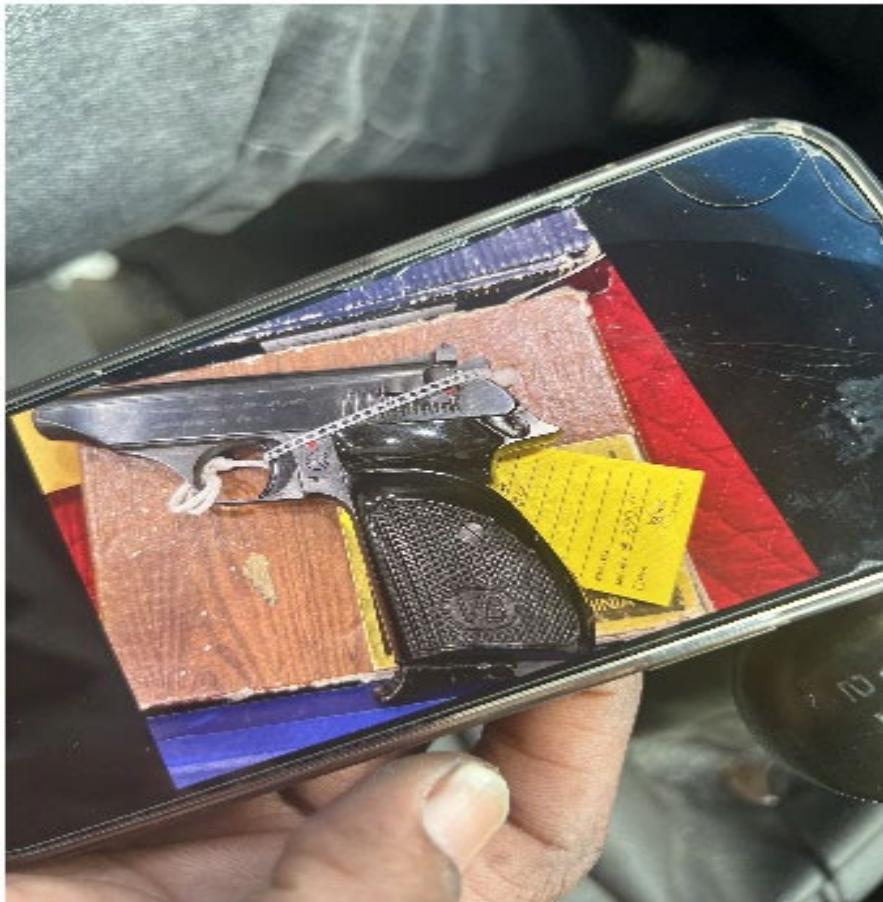
16. During the course of the conspiracy, Co-Conspirator 1 and Co-Conspirator 2 used Facebook Messenger to communicate with the defendant AARON MICHAUD and others.

OVERT ACTS

17. In furtherance of the conspiracy, on March 20, 2022, Co-Conspirator 1 and Co-Conspirator 2 went to the Bucksport Gun Show in Orland, Maine for the purpose of selecting firearms that they wanted Jennifer Scruggs and AARON MICHAUD to purchase for them. While they were at the gun show, Co-Conspirator 2 took photographs of three firearms with his cell phone: (1) a Beretta M9A3 bearing serial

number B033014Z; (2) a Bernadelli, Vincenzo Model 80, .380 caliber handgun; and (3) a Smith & Wesson handgun, model 469, bearing serial number TAC0620. The photos taken by Co-Conspirator 2 are depicted below:





18. At approximately 12:52 p.m. on March 20, 2022, Co-Conspirator 2 texted the photos of the firearms depicted in Paragraph 17 above to Jennifer Scruggs and AARON MICHAUD.

19. Shortly thereafter, Co-Conspirator 1 and Co-Conspirator 2 provided Scruggs and MICHAUD with cash to purchase the above-described firearms. That same day, on March 20, 2022, Jennifer Scruggs, accompanied and assisted by AARON MICHAUD, purchased the above-described firearms at the Bucksport Gun Show from Ballstown Firearms for Co-Conspirator 1 and Co-Conspirator 2. In connection with this purchase, Scruggs filled out an ATF Form 4473 in which she falsely certified that she was the actual purchaser of the firearms described above in Paragraph 17.

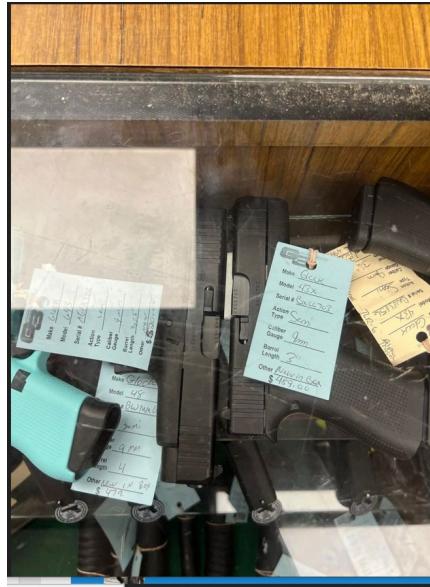
20. On April 1, 2022, Co-Conspirator 1 rented a vehicle from Alamo Car Rental at the Portland International Jetport in Portland, Maine, for the purpose of transporting firearms from Maine to California. When Co-Conspirator 1 rented the vehicle, he provided an address in Lancaster, California as his residential address and listed Jennifer Scruggs and AARON MICHAUD as additional authorized drivers of the rental car.

21. On the same date, Co-Conspirator 2 flew from Maine to California on United Airlines.

22. After Co-Conspirator 1 rented the vehicle from Alamo on April 1, 2022, he, Jennifer Scruggs and AARON MICHAUD drove from Maine to California with some of the firearms that Scruggs had illegally purchased for Co-Conspirator 1 and Co-Conspirator 2.

23. On May 10, 2022, after returning to Maine, Jennifer Scruggs, assisted by AARON MICHAUD, purchased a Browning, Model 1911, .380 caliber handgun bearing serial number 51-HY2110101 from J.T. Reid's Gun Shop in Auburn, Maine, for Co-Conspirator 1 and Co-Conspirator 2. In connection with this purchase, Scruggs filled out an ATF Form 4473 in which she falsely certified that she was the actual purchaser of the firearm.

24. On June 13, 2022, Co-Conspirator 1 sent four images of various firearms from G3 Firearms in Turner, Maine to Jennifer Scruggs via Facebook Messenger. The images included the prices of some of the guns:



25. The firearms depicted in the images in Paragraph 24 included the following:

1) Ruger	PC	9mm	- \$685.00
2) Glock	43X	9mm	- \$489.00
3) Glock	43	9mm	- \$520.00
4) Kel Tec	P50	5.7x28-	\$1029.00

26. The following day, on June 14, 2022, Co-Conspirator 1 sent Scruggs the following message over Facebook Messenger: “*Change of plans. Get two scorpions instead of the grand powers.*”

27. That same day, Jennifer Scruggs also had a conversation with Co-Conspirator 2 on Facebook Messenger about her plans to purchase the firearms. On June 14, 2022, Scruggs sent Co-Conspirator 2 a message in which she explained that she needed to find a “government printed document” with her current address on it, because her ID only had a “P.O. Box” for an address. Scruggs then told Co-Conspirator 2: “*but they’re all yours after this lol.*”¹

28. After conferring with Co-Conspirator 1 and Co-Conspirator 2 about the firearms that they wanted her to purchase, on June 14, 2022, Jennifer Scruggs and AARON MICHAUD traveled to G3 Firearms in Turner, Maine, where Scruggs ultimately purchased the following eight firearms (which included, among other things, two Scorpions):

- (1) Kel-Tec, Model P50, 5.7x28, Serial No. AAF428
- (2) Ruger, Model PC Charger, 9mm, Serial No. 913-60944
- (3) CZ/USA, Model Scorpion, 9mm, Serial No. G076417
- (4) Glock, Model 43X, 9mm, Serial No. BXCC703
- (5) Glock, Model 43X, 9mm, Serial No. BNES856
- (6) Glock, Model 43X, 9mm, Serial No. AGPG024
- (7) HondR, Model 1871, 12g, Serial No. NZ515617
- (8) CZ /USA, Model Scorpion, 9mm, Serial No. G047866

¹ “lol” is a commonly used text message shorthand for “laugh out loud.”

29. In connection with the purchase from G3 Firearms on June 14, 2022, Scruggs filled out an ATF Form 4473 in which she falsely certified that she was the actual purchaser of the firearms described above in Paragraph 28 above.

30. Scruggs and MICHAUD thereafter provided the firearms to Co-Conspirator 1 and Co-Conspirator 2.

31. On June 17, 2022, Jennifer Scruggs, accompanied by AARON MICHAUD, purchased three more firearms from G3 Firearms in Turner, Maine, for Co-Conspirator 1 and Co-Conspirator 2, including a Glock, Model 19, 9mm handgun bearing Serial No. BVTP766. In connection with this purchase, Scruggs filled out an ATF Form 4473 in which she falsely certified that she was the actual purchaser of the firearm.

32. On June 18, 2022, Co-Conspirator 1 rented a silver Nissan Pathfinder from the Avis/Budget Car Rental agency at the Portland International Jetport for the purpose of transporting firearms from Maine to California. Again, when Co-Conspirator 1 rented the vehicle from Avis/Budget, he provided an address in Lancaster, California as his residential address. Co-Conspirator's then girlfriend, Elise Bergeron, accompanied them on the trip to California and was later added as an authorized driver.

33. On the same date, June 18, 2022, Co-Conspirator 2 flew from Maine to California on United Airlines and met the others there after they arrived by car a few days later.

34. Among the firearms that Scruggs, Co-Conspirator 1, MICHAUD and Bergeron transported from Maine to California in June of 2022 were the Browning Model 1911 handgun described above in Paragraph 23 and the Glock, Model 19, 9mm handgun described above in Paragraph 31.

All in violation of Title 18, United States Code, Section 371.

COUNTS TWO THROUGH ELEVEN

35. The allegations set forth in Paragraphs 1 through 34 are expressly incorporated herein.

36. On the following dates, all in the District of Maine, the defendant AARON MICHAUD, in connection with the acquisition of firearms listed below, from G3 Firearms, Turner, Maine, J.T. Reid's Gun Shop, Auburn, Maine or Ballstown Firearms, Whitefield, Maine, all licensed dealers of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly aided and abetted the making of the following false and fictitious written statements to a salesperson from the listed licensed firearms dealers, which statements were intended and likely to deceive the firearm dealers' sales representatives as to a fact material to the lawfulness of such sales of the said firearms to the defendant under chapter 44 of Title 18:

Count	Date	Federal Firearm Licensee	False Statement	Firearms Purchased
COUNT TWO	March 20, 2022	Ballstown Firearms, Whitefield, Maine	Jennifer Scruggs responded, "Yes" to question 21(a) of the ATF Form 4473, which asked "Are you the actual transferee / buyer of the firearm(s) listed on this form and any continuation sheet(s)(ATF Form 5300.9A? Warning: You are not the actual transferee/buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual transferee/buyer, the licensee cannot transfer the firearm(s) to you."	(1) Beretta, Model M93A, 9mm Luger, Serial No. B033014Z (2) Smith & Wesson (S&W), Model 469, 9mm, Serial No. TAC0620 (3) Bernardelli, Model 80, 380 mm, Serial No. 018514

Count	Date	Federal Firearm Licensee	False Statement	Firearms Purchased
COUNT THREE	March 28, 2022	G3 Firearms, Turner, Maine	Jennifer Scruggs responded, "Yes" to question 21(a) of the ATF Form 4473, which asked "Are you the actual transferee / buyer of the firearm(s) listed on this form and any continuation sheet(s)(ATF Form 5300.9A? Warning: You are not the actual transferee/buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual transferee/buyer, the licensee cannot transfer the firearm(s) to you."	(1) Steyr, Model GB, 9mm, Serial No. P07255 (2) Jiminez, Model JA9, 9mm, Serial No. 411599 (3) Jiminez, Model JA9, 9mm, Serial No. 411663 (4) Jiminez, Model JA9, 9mm, Serial No. 411802 (5) Kel-Tec, Model P11, 9mm, Serial No. T6368-21AV11405 (6) SAR, Model SAR9, 9mm, Serial No. T-1102-20HC51125 (7) S&W, Model Shield 380, 380mm, Serial No. RJR8454 (8) Girsan, Model MC28, 9mm, Serial No. T6368-21AV11130 (9) Girsan, Model MC28, 9mm, Model No T6368-21AV10984 (10) Girsan, Model MC28, 9mm, Serial No. T6368-21AV10987 (11) Palmetto, Model ARV9, 9mm, Serial No. ARVBO9929
COUNT FOUR	March 30, 2022	G3 Firearms, Turner, Maine	Jennifer Scruggs responded, "Yes" to question 21(a) of the ATF Form 4473, which asked "Are you the actual transferee / buyer of the firearm(s) listed on this	(1) Palmetto, Model Dagger, 9mm, Serial No. FG036855 (2) Zastava, Model M70, 38mm, Serial No. 122894

Count	Date	Federal Firearm Licensee	False Statement	Firearms Purchased
			form and any continuation sheet(s)(ATF Form 5300.9A? Warning: You are not the actual transferee/buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual transferee/buyer, the licensee cannot transfer the firearm(s) to you.”	(3) Sig Sauer, Model P365, 9mm, Model No. 66B422990 (4) Ruger, Model Pro-Duty, 9mm, Serial No. 860-38670 (5) Ruger, Model America, 9mm, Serial No. 860-12464
COUNT FIVE	April 15, 2022	J.T. Reid's Gun Shop, Auburn, Maine	Jennifer Scruggs responded, “Yes” to question 21(a) of the ATF Form 4473, which asked “Are you the actual transferee / buyer of the firearm(s) listed on this form and any continuation sheet(s)(ATF Form 5300.9A? Warning: You are not the actual transferee/buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual transferee/buyer, the licensee cannot transfer the firearm(s) to you.”	(1) S&W, Model SD9, 9mm, Serial No. FYZ835 (2) S&W, Model M&P380, 380mm, Serial No. RJD1213 (3) S&W, Model BG38, 38mm, Serial No. CVF3483 (4) S&W, Model M&P9, 9mm, Serial No. REY3277 (5) SDS Imp., Model 1911A1, 45acp, Serial No. T0620-21Z21806 (6) SDS Imp., Model 1911A1, 9mm, Serial No. T0620-21K00182 (7) Rock Island, Model 1911A1, 45acp, Serial No. RIA2444881 (8) SDS Imp., Model 1911A1, 45acp, Serial No. T0620-22Z03278

Count	Date	Federal Firearm Licensee	False Statement	Firearms Purchased
				(9) Taurus, Model 856 (Revolver), .38 spl, Serial No. ACN757068 (10) Charter Arms, Model Lavender Lady, 38 spl, Serial No. 22L29146
COUNT SIX	April 19, 2022	G3 Firearms, Turner, Maine	Jennifer Scruggs responded, "Yes" to question 21(a) of the ATF Form 4473, which asked "Are you the actual transferee / buyer of the firearm(s) listed on this form and any continuation sheet(s)(ATF Form 5300.9A? Warning: You are not the actual transferee/buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual transferee/buyer, the licensee cannot transfer the firearm(s) to you."	(1) Grand Power Stribog, Model SP9A1, 9mm, Serial No. GSA25875 (Recovered); (2) Palmetto, Model AHU, 9mm, Serial No. AKVoZo271 (3) Zastava, Model ZPAP, 223mm, Serial No. 285-014536 (4) Taurus, Model 856, 38 spl, Serial No. AMMC620551 (5) Charter Arms, Model Undercover, 38 spl, Serial No. 21071854 (6) Beretta, Model 1943, 380mm, Serial No. 00508
COUNT SEVEN	May 8, 2022	J.T. Reid's Gun Shop, Auburn, Maine	Jennifer Scruggs responded, "Yes" to question 21(a) of the ATF Form 4473, which asked "Are you the actual transferee / buyer of the firearm(s) listed on this form and any continuation sheet(s)(ATF Form 5300.9A? Warning: You	(1) SDS Imp., Model Faith, 380 acp, Serial No. To620-21J02284 (2) M&M Ind., Model M10X-P, 7.62x39, Serial No. W05598

Count	Date	Federal Firearm Licensee	False Statement	Firearms Purchased
			are not the actual transferee/buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual transferee/buyer, the licensee cannot transfer the firearm(s) to you.”	(3) SDS Imp., Model Faith, 380 acp, Serial No. T0620-21J02315
COUNT EIGHT	May 10, 2022	J.T. Reid's Gun Shop, Auburn, Maine	Jennifer Scruggs responded, “Yes” to question 21(a) of the ATF Form 4473, which asked “Are you the actual transferee / buyer of the firearm(s) listed on this form and any continuation sheet(s)(ATF Form 5300.9A? Warning: You are not the actual transferee/buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual transferee/buyer, the licensee cannot transfer the firearm(s) to you.”	(1) Tristox/Metro, Model AC1911, 38sup, Serial No. A21-13546 (2) Browning, Model 1911-380, 380acp, Serial No. 51-HY2110101 (Recovered)
COUNT NINE	May 11, 2022	G3 Firearms, Turner, Maine	Jennifer Scruggs responded, “Yes” to question 21(a) of the ATF Form 4473, which asked “Are you the actual transferee / buyer of the firearm(s) listed on this form and any continuation sheet(s)(ATF Form 5300.9A? Warning: You are not the actual transferee/buyer if you are acquiring the firearm(s) on behalf of	(1) Century pistol, Model Draco, 7.62x39, Serial No. ROA21DG1752 (2) Grand Power Stribog, Model SA9A1, 9mm, Serial No. GSA25759 (3) Grand Power Stribog, Model SA9A1, 9mm, Serial No. GSA25518

Count	Date	Federal Firearm Licensee	False Statement	Firearms Purchased
			another person. If you are not the actual transferee/buyer, the licensee cannot transfer the firearm(s) to you.”	(4) Palmetto, Model PSAK47P, 7.62x39, Serial No. P7012545
COUNT TEN	June 14, 2022	G3 Firearms, Turner, Maine	Jennifer Scruggs responded, “Yes” to question 21(a) of the ATF Form 4473, which asked “Are you the actual transferee / buyer of the firearm(s) listed on this form and any continuation sheet(s)(ATF Form 5300.9A? Warning: You are not the actual transferee/buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual transferee/buyer, the licensee cannot transfer the firearm(s) to you.”	(1) Kel-Tec, Model P50, 5.7x28, Serial No. AAF428 (2) Ruger, Model PC Charger, 9mm, Serial No. 913-60944 (3) CZ/USA, Model Scorpion, 9mm, Serial No. G076417 (4) Glock, Model 43X, 9mm, Serial No. BXCC703 (5) Glock, Model 43X, 9mm, Serial No. BNES856 (6) Glock, Model 43X, 9mm, Serial No. AGPG024 (7) HondR, Model 1871, 12g, Serial No. NZ515617 (8) CZ /USA, Model Scorpion, 9mm, Serial No. G047866
COUNT ELEVEN	June 17, 2022	G3 Firearms, Turner, Maine	Jennifer Scruggs responded, “Yes” to question 21(a) of the ATF Form 4473, which asked “Are you the actual transferee / buyer of the firearm(s) listed on this form and any	(1) CZ/USA, Model Scorpion, 9mm, Serial No. G105371 (2) Glock, Model 17, 9mm, Serial No. BWFG892

Count	Date	Federal Firearm Licensee	False Statement	Firearms Purchased
			continuation sheet(s)(ATF Form 5300.9A? Warning: You are not the actual transferee/buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual transferee/buyer, the licensee cannot transfer the firearm(s) to you.”	(3) Glock, Model 19, 9mm, Serial No. BVTP766 (Recovered)

when in fact on all dates listed in Counts Two through Eleven, the defendant AARON MICHAUD knew that Jennifer Scruggs was purchasing all firearms listed in Counts Two through Eleven on behalf of Co-Conspirator 1 and Co-Conspirator 2, all in violation of Title 18, United States Code, Sections 922(a)(6), 924(a)(2) and 2.

FIREARM FORFEITURE NOTICE

The United States Attorney further alleges:

1. Upon conviction of one or more of the offenses in violation of Title 18, United States Code, Section 371 set forth in Count One of this Information or Title 18, United States Code, Sections 922(a)(6), 924(a)(2), and 2 set forth in Counts Two through Eleven of this Information, the defendant,

AARON MICHAUD

shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), any firearm or ammunition involved in or used in any knowing commission of the offenses. The property to be forfeited includes, but is not limited to, the following:

- a) Grand Power Stribog, Model SP9A1, 9mm, Serial No. GSA25875;
- b) Browning, Model 1911-380, 380acp, Serial No. 51-HY2110101;
- c) 102 Rounds of assorted ammunition;
- d) 1 Magazine "Pro Mag" 9 mm; and
- e) 1 Spent Cartridge 7.62 cal.

If any of the property described in Paragraph 1 above, as being forfeitable pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), as a result of any act or omission of the defendant --

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty;

it is the intention of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property described in Paragraph 1 above.

All pursuant to Title 18, United States Code, Section 924, and Title 28, United States Code, Section 2461.

Dated: December 12, 2023

DARCIE N. MCELWEE
UNITED STATES ATTORNEY

/s/ Sheila W. Sawyer
Sheila W. Sawyer
Assistant United States Attorney
United States Attorney's Office
100 Middle Street
Portland, ME 04101
(207) 780-3257